

NOV-02-2005 14:39

BURNS DOANE SWECKER MATHI

P.01/099

**Buchanan Ingwersen PC**

ATTORNEYS

Including attorneys from Burns Doane Swecker &amp; Mathis

**Facsimile Cover**P.O. Box 1404  
Alexandria, VA 22313-1404Suite 500  
1737 King Street  
Alexandria, VA 22314-2727T 703 836 6620  
F 703 836 2021 (Group 3)  
F 703 836 0028 (Group 4)

www.buchananingersen.com

The information contained in this facsimile message is or may be attorney-client privileged and contains confidential information intended only for the use of the recipient(s) named below and others expressly authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is prohibited and you are asked to notify us immediately by telephone and to return this message to us by mail without copying it. Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

Date: November 2, 2005

**TO:** Karen McLean**Fax Number:** 703-746-6698 **Company:** U.S. PTO**Telephone:** 703-308-9140 (X214) **Your Reference:** 10/501,985**FROM:** Melissa Snyder *Melissa Snyder***Telephone:** 703.299.6906 **Our Reference:** 022702-099**Sent By:** Melissa Snyder **Number of Pages:** 9  
**Including Cover:****Message**

Re: U.S. Patent Application No. 10/501,985

Filing Date: July 21, 2004

Title: Mesostructured Materials Integrating Nanometric Crystalline Particles  
Comprising a Metal in Solid Solution within their Crystalline Lattice (as amended)

Dear Ms. McLean:

Further to your telephone discussion with Teresa Stanek Rea on October 31, 2005 and our telephone discussion of today in connection with the above-captioned application. As requested, attached is a copy of all papers filed at the U.S. Patent and Trademark Office on March 22, 2005, including:

- Date-stamped Post Card
- Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) concerning a Filing under 37 C.F.R. 371
- U.S. PTO Credit Card Form
- Return copy - Notification of Missing Requirements
- Executed Combined Declaration and Power of Attorney

VA 806600.1

PAGE 1/9 \* RCVD AT 11/2/2005 2:37:38 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-5/24 \* DNIS:7466698 \* CSID: \* DURATION (mm:ss):02-58

NOV-02-2005 14:40

BURNS DOANE SWECKER MATHI

P. 02/09

Patent Re

Postcard

2D

Inventor: Marc Airiau et al.Docket No.: 022702-099Dkt. Clerk Initials JP

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- Amendment or Response
- Preliminary Amendment
- Amendment/Reply Transmittal Letter
- Petition for \_\_\_\_\_ Month Extension of Time
- Submission of Formal Drawings w/ \_\_\_\_\_ sheet(s) of drawings (Fig(s). 1-\_\_\_\_\_)
- Request for Approval of Drawing Changes w/ \_\_\_\_\_ sheet(s) of red ink drawings
- Notice of Appeal
- Appeal Brief
- Request for Oral Hearing
- Reply Brief
- Response to Restriction Requirement or Election of Species
- Terminal Disclaimer
- Certificate Under 37 C.F.R. 3.73(b)
- Transmittal Letter for Missing Parts of Application

- Executed Declaration/Power of Attorney
- Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)
- Submission of Certified Copy of Priority Document w/ \_\_\_\_\_ certified copy(ies)
- Information Disclosure Statement Transmittal
- Information Disclosure Citation (PTO-1449)
- Information Disclosure Statement w/ \_\_\_\_\_ document(s)
- Request for Corrected Notice of Recordation of Assignment w/Copy of Notice
- Request for Continued Examination
- Issue Fee Transmittal
- Status Inquiry
- Submission of Corrected Drawings
- Payment of Issue Fee and Authorization to charge Deposit Account
- Request for Refund

- Request for Corrected Filing Receipt w/copy of Official Filing Receipt
- Supplemental Application Data Sheet
- Substitute Specification (clean/marketed copies)
- Check for \$ \_\_\_\_\_ is enclosed
- Check for \$ \_\_\_\_\_ is enclosed
- Charge \$ \_\_\_\_\_ to Deposit Account
- Charge \$ 130.00 to credit card. Form PTO-2038 is attached.
- Filed by Certificate of Mail
- Notification of Missing Requirements

- 
- 
- 

If submitting documents via Express Mail, provide the Express Mailing Label No. below.

Express Mail Mailing Label No. \_\_\_\_\_

NOV-02-2005 14:40

BURNS DOANE SWECKER MATHI

Signature for Form PTO-1590		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 022702-099
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/501,985
INTERNATIONAL APPLICATION NO. PCT/FR03/00167	INTERNATIONAL FILING DATE 20 January 2003 (20.01.2003)			PRIORITY DATE CLAIMED 21 January 2002 (21.01.2002)
TITLE OF INVENTION MESOSTRUCTURED MATERIALS INTEGRATING NANOMETRIC CRYSTALLINE PARTICLES COMPRISING A METAL IN SOLID SOLUTION WITHIN THEIR CRYSTALLINE LATTICE (AS AMENDED)				
APPLICANT(S) FOR DO/EO/US AIRIAU, Marc; and CHANE-CHINE, Jean-Yves				
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 21 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <u>Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US)</u></li> </ol>				

DOCKETED  
filed 3-22-05 JD

NOV-02-2005 14:40

BURNS DOANE SWECKER MATHI

U.S. APPLICATION NO. (if known, see R 1.5)

INTERNATIONAL APPLICATION NO.

...TOMORROW'S DOCKET NUMBER

10/501,985

PCT/FR03/00167

022702-089

21. <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information:		CALCULATIONS PTO USE ONLY	
22. <input checked="" type="checkbox"/> The following fees are submitted:			
Basic Filing Fee (1631)		\$ 0.00	
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e))		<input type="checkbox"/> 20	<input type="checkbox"/> 30
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	-20 =	0	× \$50.00 (1615)
Independent Claims	-3 =	0	× \$200.00 (1614)
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+\$360.00 (1616)	
Examination Fee		+\$200.00 (1633)	
Search Fee		+\$500.00 (1632)	
App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)		\$ 0.00	
		TOTAL OF ABOVE CALCULATIONS =	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+\$ 0.00	
		SUBTOTAL =	
Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f))		<input type="checkbox"/> 20	<input type="checkbox"/> 30
		\$ 0.00	
		TOTAL NATIONAL FEE =	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +		\$ 0.00	
		TOTAL FEES ENCLOSED =	
		\$ 0.00	
		Amount to be refunded :	
		charged :	
<p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Charge <u>\$ 130.00</u> to credit card. Form PTO-2038 is attached.</p>			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:			
<p>Burns, Doane, Swecker &amp; Mathis, L.L.P.            P.O. Box 1404            Alexandria, Virginia 22313-1404            (703) 836-6620</p> <p>SIGNATURE</p> <p>Teresa Stanek Rea</p>			
NAME		DATE	
30,427		March 22, 2005	
REGISTRATION NO.			

Page 2 of 2

PTO-2038 (02-2003)

Approved for use through 02/28/2006. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## United States Patent and Trademark Office

### Credit Card Payment Form

Please Read Instructions before Completing this Form

#### Credit Card Information

Credit Card Type:  Visa  MasterCard  American Express  Discover

Credit Card Account #: [REDACTED]

Credit Card Expiration Date: [REDACTED]

Name as it Appears on Credit Card: Applications Burns Doane

Payment Amount: \$ (US Dollars): \$130.00

Cardholder Signature: [REDACTED] Date: March 22, 2005

**Refund Policy:** The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.

**Service Charge:** There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR § 1.21 (m)).

#### Credit Card Billing Address

Street Address 1: P.O. Box 1404

Street Address 2: [REDACTED]

City: Alexandria

State/Province: Virginia Zip/Postal Code: 22313-1404

Country: UNITED STATES OF AMERICA

Daytime Phone #: (703) 836-6620 Fax #: (703) 836-2021

#### Request and Payment Information

##### Description of Request and Payment Information:

Missing Requirement fees

<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No. 10/501,985	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 022702-099		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,985	Marc Airiau	022702-099
INTERNATIONAL APPLICATION NO.		PCT/FR03/00167
LA. FILING DATE		PRIORITY DATE
01/20/2003		01/21/2002
CONFIRMATION NO. 3366		
371 FORMALITIES LETTER		
 *0C00000015138183*		

Date Mailed: 02/10/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/21/2004
- English Translation of the IA filed on 07/21/2004
- Copy of the International Search Report filed on 07/21/2004
- Preliminary Amendments filed on 07/21/2004
- Information Disclosure Statements filed on 07/21/2004
- U.S. Basic National Fees filed on 07/21/2004

NHS/TSR/NE

CRW

2-14-05

CRW

NAU-mas-2/17/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

205  
2/14/05

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,985	PCT/FR03/00167	022702-099

FORM PCT/DO/EO/905 (371 Formalities Notice)